

Newstead Town Board Meeting- February 13, 2006

A Public Hearing was called to order by the Newstead Town Board on Monday, February 13, 2006 at the Newstead Town Hall at 7:30PM.

Present: David Cummings- Supervisor
Tom George- Councilman
Harold Finger- Councilman
Mark Decker- Councilman
Christine Falkowski- Building Administrator
Michael Bassanello- Highway Supt.
Andrew Casolini- Town Engineer
Nathan Neill- Town Attorney
Kathleen Lang- Deputy Town Clerk

The Supervisor called the Public Hearing on the increase and improvement to Water District #10- Phase 2 to order. Town of Newstead Engineer Andrew Casolini stated that this project was in the Master Plan and construction will begin this summer. The cost will be similar to Phase 1 and public informational meetings regarding installation will be held April-May 2006.

The Deputy Clerk read the proof of publication. Comments:

- Phillip Kenline, 8238 Greenbush Rd., questioned the charge on his tax bill for the new water district. One is a fixed fee, the other is a fee based on one's total assessment. The fees are payable over 30 years.
- Russell Rosenberg, 7982 Greenbush Rd, questioned whether the second fee was based on just one's home or all parcels owned.
- Peter Henley, 6263 Scotland Rd questioned whether it was cost effective to install at Scotland Road. Andrew replied that we will build until the money runs out.

A motion was made by Councilman George, seconded by Councilman Finger closing the public hearing on Water District #10- Phase 2 increase and improvement.

The regular meeting was called to order at 8:00PM.

Roll Call was taken with all board members present.

Don Folger led the pledge to the flag.

A motion was made by Councilman George, seconded by Councilman Finger to appoint Brian Murray to the vacant Councilman seat for the remainder of 2006.

	Ayes-3	Nays-1	Carried
Cummings- Nay	George- Aye	Finger- Aye	Decker- Aye

At this time Brian Murray stepped forward and was sworn into office as Councilman for the Town of Newstead and signed his Oath of Office. He then took his seat with the Town Board members.

Minutes from the previous regular board meeting held on January 23, 2006 were presented for approval. A motion was made by Councilman Finger, seconded by Councilman Decker to accept as presented.

Carried

Work Session: Supervisor Cummings reported that at the work session held on January 30th and February 6th the following issues were discussed: Archives, water district #10 issues, water district #1 & #3 switch over to ECWA, water service at the Rapids Rd substation, the shared facilities project, Lateral restriction policy, Local Law #1 of 2006, highway issues, re-zoning of Rt. 5, Capitalization Policy, Village police services, Wendel services contract, 1% Sales tax, acceptance of partial payments resolution, Global signal expansion, Historical Society comments and unfinished items: Akron Airport funding of hanger, job descriptions for all employees, terms and conditions, library elevator issues.

Communications – The Town Clerk presented the following:

A letter from APA Nursery School expressing their interest in the use of the lower level of the Newstead Library as a new home for their nursery school program.

Certification from the Association of Towns that the Town of Newstead is a member in good standing for the year 2006.

A letter from resident Judith Miller of 13588 Stage Rd regarding her dog being hit while crossing Crittenden Rd. She would like the speed limit on each side of the bridge lowered to 35 mph and a warning "Crossing" sign placed on each side of the bridge.

The monthly report from Amherst Central Alarm offices was received reporting the January 2006 calls for Akron Fire Co. - 39 and Newstead Fire Co. – 13.

A letter from NYS Trooper Captain Mark A. Koss regarding the Troopers needs for the proposed 4-bay garage to be constructed for the village and trooper cars and storage.

A letter of response from the NYS DOT on the SEQR/ site plan review on Water District #10-Phase 2.

A letter from Erie County Comptroller Mark Poloncarz to all tax collectors in Erie County notifying the collectors that his office will be conducting on-site field audits during the collection period in late February thru early March.

A letter from Assemblyman Paul Tokasz reporting the distribution estimates for Erie County municipalities that will be sharing in the \$12.5 million additional sales tax distribution.

A motion was made by Councilman George, seconded by Councilman Finger to receive and file correspondence as presented. Carried Unanimously

Privilege of the Floor – Doug Ceisner, 100 East Avenue commented as follows: (1) Can agendas for Town Board Meetings be published in the Buffalo News. (2) Why does the Newstead Fire Company Community Calendar have only one Board Meeting scheduled each month? These issues will be looked into by the Supervisor. (3) The ditch on his property at South Newstead & Main is plugged up; can the Ditching Committee do something? Supervisor Cummings advised him to put this request in writing. (4) Unsafe buildings – Dr. Hoover's is still in litigation, but there are a few more standing. The Building Administrator will provide an updated report for the next meeting. (5) What is the cost of the Shared Facilities Project, and he believes the site next to St. Theresa's is a terrible one. Councilman George replied that a Feasibility Study is underway. (6) Instead of Town trucks hauling millings out of the Village, we should stockpile them. (7) The last Supervisor said we were no longer a friendly town, but a business town, (8) He is happy that the Board decided not to license Plumbers. (9) Price of an average legal notice – less than \$100.

Peter Henley, 13760 Indian Falls Road, North East Caissons, Inc. reported this property is available and feels it has everything for the Shared Public Works Facility and stated he would forward information to Councilman George.

A motion was made by Councilman Decker, seconded by Councilman Finger approving the 2005 year end budget transfers per a memo from Bookkeeper Kathy Strobele dated 2/2/06. Carried Unanimously

Approval of Bills -Councilman Decker reported that the Abstracts from Batches #471, 472 & 473 from the January 23, 2006 meeting have been reviewed with the previously UN-audited vouchers and everything was found in order. He presented Abstract Batch #479. Vouchers on this abstract numbered #30 – 101, totaling \$250,934.98 and were presented for payment approval by Councilman Decker, seconded by Councilman Finger to approve payment.

Abstract Batch #479:

General Fund (A) -\$62,107.34, Fund (B) \$85.00, Highway (DA) -\$0, Highway: Outside Village (DB) \$16,222.29, Capital Projects: CAP-WD#10 (HI)- \$146,713.90, CAP-Town Hall (HK)- \$0, Highway Garage (HG)- \$0, Fire Protection (SF) \$2,540.64, Refuse (SR) \$16,089.81, Sewer Fund (SS) \$0, Sewer District #2 (SS02)- \$352.80, and Water Districts (SW1) \$2,764.00, (SW2) \$88.44, (SW3) \$248.24, (SW4) \$112.56, (SW5) \$2,420.04, (SW6) \$305.52, (SW7) \$426.12, (SW7A) \$48.24, (SW8) \$32.16, (SW9) \$88.44, (SW10) \$289.44, Trust & Agency(TA)- \$0
Totaling \$250,934.98. Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Supt. Bassanello reported nothing at this time.

Assessor – Assessor Baker is on vacation.

Building Office –a building report was presented by the Building Administrator Christine Falkowski:

Uni-Mart #5025	12999 Main	Temp sign permit
Joseph Dugan	12352 Rapids	Roof
Buffalo Drilling	10440 Main	Special use permit-renew
Arrowhead Golf Links	12292 Clarence Ctr	Temp sign permit
Country Care Day Care	11936 Rapids	Special use permit-renew
William Asmus	7156 Maple	Lean-to
Garden in the Hollow	11072 Main	Temp sign permit
John Alfieri	13710 Main	Temp sign permit
Michael Lotz	12799 Swift Mills	One family home
Lawrence Livergood	13453 Bloomingdale	Addition

The Board accepted the Building Report as presented.

Town Clerk-Presented Dog Control Officer report for January. 2006 County/Town tax bills are in and ready for mailing on Tuesday, February 14th. They are due March 15th. Thanks to the cooperation of the Bank of Akron, payments will also be taken at the bank again for this collection.

Attorney for the Town – Nothing at this time

COUNCILPERSONS

George- Nothing at this time

Finger- Nothing at this time

Decker-Nothing at this time

Murray- Nothing at this time

SUPERVISOR- He has met with several local organizations and taken calls in regards to the ice rink in the County Park. Legislator Ranzenhoefer told him it was scheduled to be open when appropriate and that the Park View Bridge project is on the move.

UNFINISHED BUSINESS

Andrew reported that Water District #3 is officially turned over to Erie County Water Authority. Water District #10 Phase 1A & 1B – new services will be started in the south on Wednesday. To have soft spots filled in, call Andrew. The Lateral Restriction Policy will go into effect in June at substantial completion of Phase IA & B.

Phase 2- Public Hearing was just held with public information meetings forthcoming.

Water Tank- The dome work is completed. Welding will be completed in 6-8 weeks and painting will begin. The color will be off-white.

Route 5 Zoning -The public hearing will be set at next meeting

Shared Public Works Facility Committee- Councilman George stated a meeting is scheduled for Friday, February 17.

Other: nothing

NEW BUSINESS:

Wendel –Services Contract:

A motion was made by Councilman Finger, seconded by Councilman George approving the 2006 Service Contract with Wendel Duchscherer under the terms set forth in the contract.

(Resolution Attached) Ayes-5 Nays-0 Absent-0 Carried Unanimously

Water District #10-Phase 2 Determination of Non-Significance:

A motion was made by Councilman Decker, seconded by Councilman George issuing a determination of non-significance concerning the increase and improvement of Water District #10- Phase 2 and authorizing the Supervisor to sign the EAF approving the negative declaration.

(Resolution Attached) Ayes-5 Nays-0 Absent-0 Carried Unanimously

Akron Airport- Negative Declaration:

A motion was made by Councilman Finger, seconded by Councilman Decker issuing a negative SEQR declaration on the Akron Airport runway protection zone project for the end of runway 25 an runway 29 and authorizing the Supervisor to sign the EAF form.

(Resolution Attached) Ayes-5 Nays-0 Absent-0 Carried Unanimously

Akron Airport- State Funding Approval:

A motion was made by Councilman Decker, seconded by Councilman Finger endorsing the acquisition of land and easements for the runway ends 25 and 29 runway protection zones for the purpose of making the project eligible for State funding and categorizing the project as an Unlisted Action under SEQR having no significant environmental impact. The Supervisor is authorized to sign and date the DV-21-RI compliance statements.

(Resolution Attached) Ayes-5 Nays-0 Absent-0 Carried Unanimously

Akron Airport- State Funding Approval:

A motion was made by Councilman Murray, seconded by Councilman Decker endorsing the purchase of two nested 10-unit T-Hanger buildings for the purpose of making the project eligible for State funding and categorizing the project as a Type I Action under SEQR having no significant environmental impact. A Negative Declaration was issued. The Supervisor is authorized to sign and date the DV-21-RI compliance statements.

(Resolution Attached) Ayes-4 Nays-1 Absent-0 Carried

Cummings- Aye George- Nay Finger- Aye Decker- Aye Murray- Aye

2006 Intermunicipal Agreement Erie County Van

A motion was made by Councilman George, seconded by Councilman Finger, approving the Supervisor to sign the Contract with Town of Clarence and Town of Newstead shared use of the Erie County Van..

Ayes-5 Nays-0 Absent Carried Unanimously

Question Period- Don Folger, 15 Madison Ave, questioned if the property owners had been notified of runway safety changes in height at airport. Yes, they have been notified. Have the zoning changes been mailed to surrounding communities? Yes, they have.

Doug Ceisner, 100 East Avenue, questioned the public hearing on the rezoning on Route 5. Councilman George responded that this hearing addresses amendments to the Overlay Zone on Route 5, especially signage.

There being no further business to come before the board a motion was made by Councilman Decker, seconded by Councilman George to adjourn the meeting at 8:55 PM.

Carried Unanimously

Respectfully Submitted,
Kathleen McLeod Lang, Deputy Town Clerk